

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DISCOVERY PARK COMMUNITY
ALLIANCE, *et al.*,

Petitioners,

vs.

CITY OF SEATTLE, *et al.*,

Respondents.

No. 2:19-cv-1105-JCC

CITY OF SEATTLE'S AND SEATTLE
SCHOOL DISTRICT NO. 1'S **REPLY**
RE THEIR MOTION TO DISMISS OR
SET A DEADLINE FOR THE PROPER
SERVICE OF THE U.S. ARMY

NOTE ON MOTION CALENDAR:
Friday, July 24, 2020

Petitioners' Affidavit of Mailing (Dkt. # 47) and Affidavit of Process Server (Dkt. # 48) fail to respond to the City's and SPS's Motion to Dismiss or to Set a Deadline for the Proper Service of the U.S. Army (Dkt. # 46). Moreover, neither affidavit mentions serving the summons (*see* Dkt. #1-3 and Fed. R. Civ. Proc. 4(i)(1)) or prompted the U.S. Army to appear. The City and SPS respectfully ask this Court to dismiss this case for failure to join a necessary party or set a deadline by which Petitioners must properly serve the Army.

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1 DATED July 24, 2020.

2 PETER S. HOLMES
3 Seattle City Attorney

McCULLOUGH HILL LEARY, PS

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CERTIFICATE OF SERVICE

I certify that on this day I electronically filed this document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to:

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Attorneys for Respondent Seattle Public Schools

I also certify that on this day I sent a copy of this document via e-mail to the same individuals.

Dated July 24, 2020, at Seattle, Washington.

/s/ Alicia Reise
ALICIA REISE, Legal Assistant